

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REX GUNTHER,

Plaintiff,

v.

**DR. STACEY NEFF and
DAVID SCHMITT,**

Defendants.

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No. 4:16-cv-01606-NCC

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's June 23, 2017 Letter to the Court titled "Update for Current Action" and bearing case number 4:17-cv-00172 (Doc. 22 in Case No. 4:17-cv-00172). In his letter, Plaintiff states that the treatment team has removed Plaintiff's phone and incoming mail restrictions but continues to screen and censor his outgoing mail. Plaintiff further indicates that his actual damages are therefore altered but his punitive money damages remain as to his Petition in case number 4:17-cv-00172 against Defendant David Schmitt. In his Complaints, Plaintiff alleges that Dr. Stacey Neff and David Schmitt restricted his incoming and outgoing mail and phone access in various ways. He, however, only seeks injunctive relief from Dr. Stacey Neff whereas he seeks injunctive relief and monetary damages from David Schmitt. Therefore, Plaintiff appears to suggest that he wishes to dismiss his injunctive relief claims against Defendant David Schmitt and his entire complaint against Defendant Dr. Stacey Neff.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court is directed to file Plaintiff's letter in Case No. 4:16-cv-01606-NCC. Plaintiff is reminded that all filings regarding his pending Complaints against Dr. Stacey Neff and David Schmitt should be made in this case and shall contain the case number 4:16-cv-01606-NCC.

IT IS FURTHER ORDERED that Plaintiff shall file a memorandum no later than fourteen (14) days from the date of this Order either (1) clearly indicating that he wishes to dismiss the injunctive relief claims against David Schmitt and the Complaint against Dr. Stacey Neff or (2) stating why his injunctive relief claims against David Schmitt and his Complaint against Dr. Stacey Neff should not be dismissed as moot.

Dated this 30th day of June, 2017.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE